

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT LEWIS WHITE,

Defendant.

CR 14-20-BU-DLC

CR 14-21-BU-DLC

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on February 18, 2015. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d

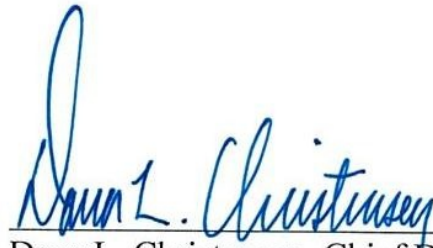
422, 427 (9th Cir. 2000).

Judge Lynch recommended this Court accept Robert Lewis White's guilty plea after White appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered pleas of guilty to 13 counts of distribution of child pornography, and one count of receipt of child pornography, all in violation of 18 U.S.C. § 225(a)(2) and (b)(1), and one count charging him with possession of a firearm not registered to him in the National Firearms Registration and Transfer record in violation of 26 U.S.C. §§ 5841, 5845(a), 5861(d), and 5871, as set forth in the Indictments filed in the two referenced cases. The Defendant also admits to the forfeiture allegations in both cases.

I find no clear error in Judge Lynch's Findings and Recommendation (Doc. 31 in CV 14-20-BU-DLC and Doc. 24 in CV 14-21-BU-DLC), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Robert Lewis White's motions to change plea (Doc. 25 in CV 14-20-BU-DLC and Doc. 18 in CV 14-21-BU-DLC) are GRANTED and Robert Lewis White is adjudged guilty as charged in the Indictments.

DATED this 11th day of March, 2015.

A handwritten signature in blue ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D" and "C".

Dana L. Christensen, Chief District Judge
United States District Court